

# The 25th Annual Real Property Retreat



*Silver Anniversary Retreat: Celebrating 25 Years*

**April 28-30, 2006**

**Hyatt Regency Huntington Beach & Spa,  
Huntington Beach**

Register Online at [www.calbar.ca.gov/rpsection](http://www.calbar.ca.gov/rpsection)

## Dates To Remember:

March 31: Hotel Reservation Deadline

April 10: Early Registration Deadline  
(Special Discounted Rate)

April 21: Pre-Registration Deadline

Earn up to 11.75 Hours MCLE Credit that includes 2.00 Hours of MCLE Legal Ethics Credit.

Network and share ideas with Real Estate Professionals from around the state.

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Presented By:

# The Real Property Law Section

STATE BAR OF CALIFORNIA



# Real Property Law Retreat Schedule of Events

## FRIDAY, APRIL 28, 2006

1:30 – 3:00 p.m.

(1)

**How Can I Get Out Alive? Using ADR to Your Best Advantage in Resolving Real Estate Disputes (1.50 Hours MCLE Credit)**

**Who Should Attend:** *Real estate litigation and transactional attorneys.*

**Moderator:** Wendi J. Berkowitz, Morgenstein & Jubelirer LLP, San Francisco

**Speakers:** Judge William J. Cahill (Ret.), JAMS, San Francisco

Judge Eli Chernow (Ret.), Alternative Resolution Centers, Los Angeles

William A. Quinby, Wulff, Quinby & Sochynsky, Oakland

(2)

**Licensing Traps and Issues: The Fallout from Vallejo Development (1.50 Hours MCLE Credit)**

**Who Should Attend:** *All real estate practitioners.*

**Moderator:** David Bagley, Hecht Solberg Robinson Goldberg & Bagley LLP, San Diego

**Speakers:** Candace L. Matson, Sheppard, Mullin, Richter & Hampton, LLP, Los Angeles

Greg Markow, Hecht Solberg Robinson Goldberg & Bagley LLP, San Diego

3:15 – 4:45 p.m.

(3)

**Water Supply and Development: From Basics to Emerging Issues (1.50 Hours MCLE Credit)**

**Who Should Attend:** *Counsel to developers, builders, and governmental agencies.*

**Speakers:** Frederic A. Fudacz, Nossaman Guthner Knox & Elliott, LLP, Los Angeles

Scott L. Shapiro, Downey Brand LLP, Sacramento

(4)

**Recent Developments Under CEQA (1.50 Hours MCLE Credit)**

**Who Should Attend:** *Attorneys who deal with real estate development.*

**Speakers:** Mark Bruner, Bingham McCutchen LLP, Walnut Creek

Richard Crabtree, Law Offices of Richard L. Crabtree, Chico

Tim Taylor, Somach, Simmons & Dunn, Sacramento

(5)

**Major Disasters: Lessons Learned (1.50 Hours MCLE Credit)**

**Who Should Attend:** *All real estate practitioners, especially those with a significant leasing practice.*

**Speakers:** Alexandra S. Glickman, Managing Director-Practice Leader, Gallagher Real Estate and Hospitality Services, Glendale

Alexander E. Hamilton, Nossaman, Guthner, Knox & Elliott, LLP, San Francisco

Michael E. Meyer, DLA Piper Rudnick Gray Cary LLP, Los Angeles

5:00 – 6:30 p.m.

**Wine Tasting Reception - Hosted by Hoge, Fenton, Jones & Appel, Inc.**

6:30 – 8:30 p.m.

**Family Dinner**

8:30 p.m.

**Section Leadership and Leadership Opportunities Party**



## SATURDAY, APRIL 29, 2006

8:00 a.m.

**Beach Fun 5K Run/2K Walk for Charity** (see page 5 for details)

7:30 – 8:00 a.m.

**Continental Breakfast**

8:15 – 9:30 a.m.

(6)

**The New Phase I Environmental Site Assessment Standard: New Burdens, but Who Benefits? (1.25 Hours MCLE Credit)**

**Who Should Attend:** *All lawyers whose clients touch real estate.*

**Speakers:** Robert Colangelo, Executive Director, National Brownfield Association, Chicago, IL

Jeffrey V. Dagdigian, PhD, Managing Partner, Waterstone Environmental, Inc., Anaheim

Peter Niemiec, Law Offices of Peter Niemiec, Manhattan Beach

# Real Property Law Retreat Schedule of Events

- (7) **The Ins and Outs of Partition Actions (1.25 Hours MCLE Credit)**  
**Who Should Attend:** *Practitioners who represent clients with a joint ownership interest in real property.*  
**Speakers:** **Stevan C. Adelman**, Miller Morton Caillat & Nevis, LLP, San Jose  
**Daniel W. Ballesteros**, Hoge Fenton, Jones & Appel, Inc., San Jose
- (8) **Building a Public Works Project, Opportunities and Obstacles for the Private Works Contractor and Counsel (1.25 Hours MCLE Credit)**  
**Who Should Attend:** *Construction or real estate law practitioner interested in the unique aspects of California Public Works projects.*  
**Speakers:** **Ray Biggs, P.E.**, Exponent, Oakland  
**Ernest C. Brown, P.E.**, Ernest Brown & Company, San Francisco  
**Jeff Conner**, Conner, Schmidt & Peters, LLP, San Francisco
- 9:45 – 11:00 a.m.  
(9) **Professors Roundtable—A Survey of the Year's Most Important Real Property Law Developments (1.25 Hours MCLE Credit)**  
**Who Should Attend:** *All Real Estate Lawyers.*  
**Moderator:** **Professor Roger Bernhardt**, Golden Gate University, San Francisco  
**Speakers:** **Professor Daniel B. Bogart**, Chapman University, Orange  
**Professor Susan Fletcher French**, University of California, Los Angeles  
**Professor Peter T. Wendel**, Pepperdine University, School of Law, Malibu
- 11:00 a.m. – 12:00 noon  
(10) **Silver Anniversary Program—Real Estate Practice over the Past 25 Years: Musings, Reflections and War Stories. Panel members will be luminaries of the real property bar from 25 years ago. (.50 hour MCLE Credit)**
- 12:15 – 1:45 p.m.  
**Keynote Luncheon, Parker S. Kennedy**, Chairman and Chief Executive Officer of the First Corporation and Chairman of its Principal Subsidiary, First American Title Insurance Company. Parker S. Kennedy has been ranked number five on Forbes Magazine's prestigious list of "Best-Performing Bosses" for 2003. Forbes evaluated chief executives at the top 500 largest U.S. companies, assigning Parker Kennedy and only nine other executives an "A" efficiency grade for pay versus performance.  
(Free for 3-day and Saturday-only registrants. Please indicate your attendance at ticketed event #28. Additional tickets may be purchased for guests. See ticketed event #29.)
- 2:00 – 3:15 p.m.  
**Round Robin Tournament** (see page 5 for details)
- (12) **Liability Issues in Condominium Conversions (1.25 Hours MCLE Credit)**  
**Who Should Attend:** *Transactional and litigation lawyers whose clients deal with condominium conversions.*  
**Moderator:** **Mark A. Cameron**, Miller, Starr & Regalia, Walnut Creek  
**Speakers:** **Paul N. Dubrasich**, Cox, Castle & Nicholson, San Francisco  
**John H. Epstein**, Epstein, Grinnell & Howell, San Diego
- (13) **How Much is it Worth? Valuing Real Estate from both the Client's Perspective and the Tax Assessment Perspective (1.25 Hours MCLE Credit)**  
**Who Should Attend:** *All real estate lawyers.*  
**Speakers:** **Theodore F. Bayer**, Pinnacle Law Group LLP, San Francisco  
**Jeff Schneider**, Vanguard Law Group, LLP, San Diego
- (14) **Rent Control—Evolution Over the Past 25 Years (1.25 Hours MCLE Credit)**  
**Who Should Attend:** *Attorneys representing residential landlords or tenants or their lenders, investors, or managers.*  
**Speakers:** **Jethro S. Busch**, Luscutoff, Lendormy & Associates, San Francisco  
**Judge David A. Garcia**, JAMS, San Francisco  
**Myron Moskovitz**, Golden Gate University Law School, San Francisco



# Real Property Law Retreat Schedule of Events

3:30 – 5:00 p.m.  
(15)

**Current Developments in Land Use Law—CEQA big box retail, water supply, planning developments, Kelo decision and other issues of interest. (1.50 Hours MCLE Credit)**

**Who Should Attend:** Attorneys whose practice involves land use issues.

**Moderator:** Arthur F. Coon, Miller, Starr & Regalia, Walnut Creek

**Speakers:** Andrew W. Schwartz, Shute Mihaly & Weinberg LLP, San Francisco  
Michael H. Zischke, Morrison & Foerster LLP, San Francisco

(16)

**Conduit Loans—Defeasance and Other Loan Servicing Nightmares (1.50 Hours MCLE Credit)**

**Who Should Attend:** Transactional lawyers whose clients deal with term loans.

**Moderator:** Nancy Lundeen, Allen, Matkins, Leck, Gamble & Mallory, San Francisco

**Speakers:** Josh Cohen, Managing Director, Commercial Defeasance, LLC, Charlotte, NC  
Gordon Gerson, Gerson Law Firm, San Diego

(17)

**2005 Amendments to the Bankruptcy Code: A Potpourri of New Issues for the Real Estate Practitioner (1.50 Hours MCLE Credit)**

**Who Should Attend:** All real estate and bankruptcy practitioners.

**Moderator:** James A. Tiemstra, Law Office of James Tiemstra, Oakland

**Speakers:** Michael St. James, San Francisco  
Andrea A. Wirum, United States Bankruptcy Trustee, Lafayette

7:00 p.m.

**Silver Anniversary Gala Dinner Dance & Casino** (see page 5 for details)

6:30 p.m. Reception • 7:00 p.m. Dinner • 8:30 p.m. Casino/Dance

**SUNDAY, APRIL 30, 2006**

8:30 – 9:00 a.m.

**Continental Breakfast**

9:00 – 10:30 a.m.  
(18)

**Ethics in Real Estate Transactions and Disputes (1.50 Hours MCLE Credit of Legal Ethics)**

**Who Should Attend:** All real estate practitioners.

**Speaker:** Robert A. Hawley, State Bar of California, Deputy Executive Director, San Francisco

(19)

**The New Big Boom: Hotel Condominiums and Time Shares (1.50 Hours of MCLE Credit)**

**Speakers:** Robert Gilmore, California Department of Real Estate, Los Angeles  
A. John Hecht, Hecht Solberg Robinson Goldberg & Bagley LLP, San Diego  
Nancy T. Scull, Luce, Forward, Hamilton & Scripps LLP, San Diego

10:45 a.m. – 12:15 p.m.  
(20)

**What Really Matters: Selected Commercial Lease Provisions (1.50 Hours of MCLE Credit)**

**Who Should Attend:** All lawyers representing commercial landlords or tenants.

**Speakers:** Elaine Andersson, Vice President & Regional Counsel, Boston Properties, San Francisco  
Susan Fowler McNally, Gilchrist & Rutter Professional Corp., Santa Monica

(21)

**Affordable Housing in California: Structuring Financing (1.50 Hours of MCLE Credit)**

**Who Should Attend:** Lawyers for residential developers, builders, investors, and municipalities.

**Speakers:** Kyle Arndt, Bingham McCutchen, Los Angeles  
Jon Goetz, Stradling, Yocca, Carlson & Rauth, Newport Beach  
Melissa Trunnell, Regional Counsel, DR Horton California Region, Carlsbad



## Social Events/Ticketed Events

### FRIDAY, APRIL 28, 2006

**5:00 – 6:30 p.m. • Wine Tasting Reception**  
Hosted by Hoge, Fenton, Jones & Appel, Inc.



### 6:30 p.m. • Family Dinner

Enjoy dining in the beautiful outdoor courtyard overlooking the Pacific Ocean at the Hyatt Regency Huntington Beach. Spouses and guest tickets are \$55. Full 3-day Retreat registrants and children 10 and under are free.

### 8:30 – 11:00 p.m. • Section Leadership and Leadership Opportunities Party

Aspiring, alumni and current executive committee members subsection chairs and Journal editors are invited for dessert, coffee and conversation. Open to all registrants and their guests.

### SATURDAY, APRIL 29, 2006

### 8:00 a.m. • Beach Fun 5K Run/2K Walk for Charity

Join in on the fun run/walk along the beach. Check-in 7:45 a.m.  
\$25

### 2:00 – 4:00 p.m. • Round Robin Tennis Tournament

Players meet at the Tennis Courts at 1:45 p.m. The cost of \$35 per player includes court fees, prizes, pro fees, scoring and refreshments. Please note: A minimum number of players must register for this event to occur.  
\$35



## *Silver Anniversary Gala Dinner Dance & Casino*



Join us as we celebrate 25 years of the Real Property Retreat with dining, casino fun and dancing. Your evening begins with a hosted reception, elegant delectable dining including fine wines and then you can join the casino fun as you play blackjack, craps, and Texas Hold'em.

Bring your dancing shoes and get ready to dance the night away with live music bringing you a rockin' medley of your favorite hits from the last 25 years, including a variety of R&B, Motown, Rock and Roll and other contemporary hits. You don't want to miss this celebration!  
Adults only, please.

### *An Evening of Dining, Casino Fun and Dancing*

Saturday, April 29, 2006

6:30 p.m. Reception • 7:00 p.m. Dinner • 8:30 p.m. Casino/Dance

Cost: \$75 (includes hosted cocktails)



## Hotel Reservations

**Hyatt Regency Huntington Beach and Spa** is located in beautiful Southern California—the ultimate in Huntington Beach hotels. The Resort offers a pedestrian walkway to wide beaches where waves crash and surfers reign. The Resort hotel features restaurants, luxurious rooms, family activities, surfing adventures, full service spa, workout room and unparalleled service.

To make your room reservations please call Hyatt Regency Huntington Beach directly at 800.233.1234 (Central Reservations). Room reservations received after March 31, 2006 will be placed on a space and rate-available basis only. **RESERVE EARLY! Please identify yourself as part of the State Bar of California Real Property Retreat to obtain the special rate of \$210 for single or double occupancy.** Preference will be given to full 3-day registrants.

The Hyatt Regency Huntington Beach is located 21500 Pacific Coast Highway, Huntington Beach, California 92648  
Tele: 714.698.1234. For further information about the Resort you may visit their website at [www.huntingtonbeach.hyatt.com](http://www.huntingtonbeach.hyatt.com).

**Hotel Reservation Deadline: March 31, 2006 • 800.233.1234 (Central Reservations)**

## General Information

**Airline Reservations:** The State Bar of California has a discount program with United Airlines. The discounts are 10% off unrestricted full coach fares and 5% off any published (often restricted) fares. To make reservations, or for additional information, please call the United Group Meeting Desk at 800.521.4041 and refer to number 550QX.

**Cancellations:** A refund less a non-refundable fee of \$50 will be made for all cancellations received in writing by April 21, 2006. No refunds will be made for cancellations after April 21, 2006. All requests for refunds must be submitted in writing.

**Golf:** To make golf reservations at the any of the local golf courses please contact the Hyatt Regency Huntington Beach concierge at 714.689.1234.

**Questions:** Please call Program Registrations for registration assistance at 415. 538.2508 and call Theresa Raglen at 415.538.2393 for Program Content assistance.

**Special Assistance:** For Special Assistance, please call 415.538.2393 or TDD 415.538.2231 for speech and hearing impaired.

### Three Ways to Register:

- ☐ **Online At:** [www.calbar.ca.gov/rpsection](http://www.calbar.ca.gov/rpsection)
- ☐ **Mail To:** Program Registrations, State Bar of California,  
180 Howard Street, San Francisco, CA 94105
- ☐ **FAX To:** (415) 538-2368 (Credit card registrations only.  
Do not mail original form if you FAX).

### Deadlines:

- Early registration: Register by **April 10, 2006** for special discounted rate.
- Pre-registrations must be received no later than **April 21, 2006**. If your registration is not received by April 21 you must register on-site.

### 3 Day Registration Fee Includes:

Education sessions, program materials, Friday dinner, leadership party, Saturday continental breakfast and lunch and Sunday continental breakfast.

Bar Number: \_\_\_\_\_ First Name or Nickname \_\_\_\_\_  
(as you wish it to appear on your badge)

Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Non-Attorney Spouse/Guest Name: \_\_\_\_\_

Please call 415.538.2393 if you have dietary restrictions.

Your name may be released to other attendees/sponsors/exhibitors. ☐ Check here, if you don't want your information released.

REGISTRATION FEES	Until April 10	After April 10	Total Cost
Section Member	\$395	\$420	\$ _____
Non-Member	\$450	\$475	\$ _____
(includes 2006 Real Property Law Section membership)			

Non-Profit Government Attorney or Professor	\$295	\$320	\$ _____
Saturday Only	\$225	\$250	\$ _____
Full-time Law Student	\$50	\$50	\$ _____

(Your full 3-day registration fee includes Education Sessions, Program Materials, Friday Dinner, Leadership Party, Saturday Continental Breakfast and Lunch and Sunday Continental Breakfast)

**EDUCATION SESSIONS:** Please indicate which sessions you will attend.

**Friday, April 28, 2006 - 1:30 – 3:00 p.m.**

- ☐ (1) How Can I Get Out Alive? Using ADR to Your Best Advantage in Resolving Real Estate Disputes
- ☐ (2) Licensing Traps and Issues: The Fallout from Vallejo Development

**3:15 – 4:45 p.m.**

- ☐ (3) Water Supply and Development: From Basics to Emerging Issues
- ☐ (4) Recent Developments Under CEQA
- ☐ (5) Major Disasters: Lessons Learned

**Saturday, April 29, 2006 - 8:15 – 9:30 a.m.**

- ☐ (6) The New Phase I Environmental Site Assessment Standard: New Burdens, but Who Benefits?
- ☐ (7) The Ins and Outs of Partition Actions
- ☐ (8) Building a Public Works Project, Opportunities and Obstacles for the Private Works Contractor and Counsel

**9:45 – 11:00 a.m.**

- ☐ (9) Professors Roundtable—A Survey of the Year's Most Important Real Property Law Developments

**11:00 a.m. – 12:00 noon**

- ☐ (10) Silver Anniversary Program

**12:00 – 3:15 p.m.**

- ☐ (12) Liability Issues in Condominium Conversions
- ☐ (13) How Much is it Worth? Valuing Real Estate from both the Clients Perspective and the Tax Assessment Perspective
- ☐ (14) Rent Control—Evolution Over the Past 25 Years

**3:30 – 5:00 p.m.**

- ☐ (15) Current Developments in Land Use Law
- ☐ (16) Conduit Loans—Defeasance and Other Loan Servicing Nightmares
- ☐ (17) 2005 Amendments to the Bankruptcy Code: A Potpourri of New Issues for the Real Estate Practitioner

**Sunday, April 30, 2006 - 9:00 – 10:30 a.m.**

- ☐ (18) Ethics in Real Estate Transactions and Disputes
- ☐ (19) The New Big Boom: Hotel Condominiums and Time Shares

**10:45 a.m. – 12:15 p.m.**

- ☐ (20) What Really Matters: Selected Commercial Lease Provisions
- ☐ (21) Affordable Housing in California: Structuring Financing

**TICKETED EVENTS:**

22) Friday Dinner (for 3-day registrants & their children 10 and under) ☐ I will attend ☐ I will not attend Included

23) Number of children (10 and under) for the Friday Family Dinner \_\_\_\_\_ Included

24) Number of spouse/guests for Friday Family Dinner \_\_\_\_\_ x \$55 = \$ \_\_\_\_\_

25) Friday Section Leadership and Leadership Opportunities Party (for 3-day registrants) ☐ I will attend ☐ I will not attend Included

26) Saturday Beach Fun 5K Run/2K Walk [T-shirt size runner(s): ☐ small ☐ medium ☐ large ☐ x-large] \_\_\_\_\_ x \$25 = \$ \_\_\_\_\_

27) Saturday Continental Breakfast (for 3-day and Saturday-only registrants) ☐ I will attend ☐ I will not attend Included

28) Saturday Keynote Luncheon (for 3-day and Saturday-only registrants) ☐ I will attend ☐ I will not attend Included

29) Number of guests for the Saturday Keynote Luncheon \_\_\_\_\_ x \$40 = \$ \_\_\_\_\_

30) Round Robin Tennis Tournament Number of Tickets \_\_\_\_\_ x \$35 = \$ \_\_\_\_\_

31) Silver Anniversary Gala Dinner/Dance/Casino Night Number of Tickets \_\_\_\_\_ x \$75 = \$ \_\_\_\_\_

**Registration Information: 415.538.2508**

Subtotal from above ticket fees \$ \_\_\_\_\_

Subtotal from Registration fees \$ \_\_\_\_\_

**Total amount enclosed or to be charged: \$ \_\_\_\_\_**

**QUESTIONS: 415.538.2508**

**DEADLINE:** Your registration must be received no later than April 21, 2006 (or April 10 for reduced rate registration).

**MAIL TO:** Program Registrations, State Bar of California, 180 Howard Street, San Francisco, CA 94105; **OR**

**FAX TO:** (415) 538-2368 (Credit Card registrations only. Do not mail original form if you fax).

**REGISTER ONLINE AT:** [www.calbar.ca.gov/rpsection](http://www.calbar.ca.gov/rpsection)

**PAYMENT:** You may pay by check, **VISA or MasterCard**. Registrations will be accepted by fax only when accompanied by credit card information.

I authorize the State Bar of California to charge my Retreat Registration to my **VISA/MasterCard** account. (No other credit cards will be accepted.)

Account Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Cardholder's Name: \_\_\_\_\_

Cardholder's Signature: \_\_\_\_\_

STATE BAR EDUCATION FOUNDATION  
Real Property Law Section  
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San Francisco, CA 94105-1639

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## ***The 25th Annual Real Property Retreat***

April 28-30, 2006  
Hyatt Regency Huntington Beach & Spa  
Huntington Beach

### **Register by April 10, 2006 and Save!**

- Only \$395 for Section Members
- Non-Profit Government Attorney or Professor \$295
- Special Saturday-only registration fee of \$225
- Full-Time Law Student \$50

3-day registration fee includes Education Sessions, Program Materials, Friday Reception, Dinner and Section Leadership Party, Saturday Breakfast and Luncheon and Sunday Continental Breakfast.

**Register Online at**  
[www.calbar.ca.gov/rpsection](http://www.calbar.ca.gov/rpsection)

***Silver Anniversary Retreat: Celebrating 25 Years***